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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,000	03/06/2001	C. Robert Gasparrini	0140-4126US4	7668

7590 02/01/2005
MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154

EXAMINER

YAN, REN LUO

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 02/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No. 

09/800,000

Applicant(s)

GASPARRINI ET AL.

Examiner

Ren L Yan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-58 is/are pending in the application.
- 4a) Of the above claim(s) 1-50, 52-54 and 57 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 51, 55, 56 and 58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6-29-2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6-21-2004 has been entered.

Applicants' request for reconsideration of the Examiner's decision regarding administrative withdrawal of claims 54 and 57 as being directed to a non-elected invention has been noted. Applicants based their argument on the elected Fig. 2 species which allegedly shows that excess solvent from the solvent soaked fabric is removed by gravity alone inside the solvent container. This argument is not persuasive because the original disclosure does not support the notion of removing excess solvent from the fabric by gravity. The elected Fig. 2 species and the specification description regarding Fig. 2 only disclose removing excess solvent from the fabric outside a container 42 holding the solvent. Based on the original disclosure, claims 54 and 57 can only be directed to the Fig. 4 species which was not elected and therefore not under consideration. Accordingly, the decision to withdraw claims 54 and 57 from further consideration as being directed to a non-elected invention set forth in the previous Office action is hereby maintained.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter

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sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 51, 55, 56 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoki(5,509,353) in view of Gasparrini et al(5,368,157). Aoki teaches the method of presoaking a cleaning cloth to be used in a printing press cylinder cleaning system as claimed including a cleaning web supply roll 60 and a take-up roll 61, and a cleaning web 59 being fed out from the supply roll 60, soaked with a cleaning solvent as it passes through cleaning solvent reservoir 77, pressed against the printing cylinder 11 by the pressure pad 55 for cleaning the cylinder without disposing a sleeve about the fabric roll and without substantially disturbing the distribution of the solvent in the fabric roll and detrimentally affecting the cleaning ability of the fabric, and then taken up by the take-up roll 61. See the entire document of Aoki for example. However, Aoki does not discuss the type of cleaning solvent used in the process. Gasparrini et al. teach the conventionality of soaking a cleaning strip by immersing the cleaning strip fed out from a supply roll through a tank of low volatility, organic compound cleaning solvent which does not evaporate readily at ambient temperature in order for the cleaning strip to be saturated with the cleaning solvent or by immersing the entire cleaning strip supply roll in the cleaning solvent for soaking. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the reservoir and the tray container of Aoki with a low volatility organic compound cleaning solvent to presoak the cleaning cloth so as to effectively reduce the loss of cleaning solvent through evaporation and to cut cost. With respect to the recitation "the contacting of the cleaning fabric supply roll with the solvent does not require the use of pumps, spray bars, manifold lines and valves", it should be pointed out that the solvent in the reservoir 77 of Aoki drips onto the cleaning web 59 via gravity through small holes in the guiding member 74 and does not rely upon any mechanical or electrical device for the solvent in the reservoir 77

to make contact with the cleaning web 59. When the solvent is already in the reservoir 77, to contact the cleaning web 59 with the solvent in the reservoir would not require the use of pump, spray bars, manifold lines and valves in Aoki. Accordingly, it is believed this recitation is fully met by the structure of Aoki. See the paragraph bridging columns 3 and 4 in Aoki for example. With respect to claims 55 and 58, when the cleaning web 59 of Aoki is pressed against the printing cylinder 11, excess cleaning solvent is removed from the cleaning web 59 under pressure onto the printing cylinder surface. This solvent removal does occur outside a container 68 holding the solvent. See column 5, lines 31-39 in Aoki for details.

Applicant's arguments filed on 6-21-2004 have been fully considered but they are not persuasive. Applicants argued that the cited references teach away from the applicants claimed invention by requiring complex apparatus or a plastic sleeve. The Examiner disagree. Aoki does not require disposing a plastic sleeve to carry out the cleaning fabric soaking and cylinder cleaning process. In the cylinder cleaning apparatus of Aoki, once the solvent is in the reservoir, the process of contacting the cleaning web with the cleaning solvent via gravity does not require complex structure. Therefore, these arguments are not persuasive.

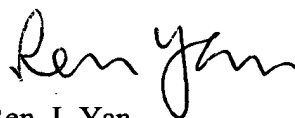
All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the submission under 37 CFR 1.114. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren L Yan whose telephone number is 571-272-2173. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 571-272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ren L Yan
Primary Examiner
Art Unit 2854

Ren Yan
Jan. 13, 2005